

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

**UNITED STATES OF AMERICA,**

**v.**

**ABDUL RASAK GARUBA,**

**Defendant.**

**Criminal No. 1:20cr00201-001**

**The Honorable T. S. Ellis, III**

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**POSITION OF DEFENDANT WITH RESPECT TO SENTENCING FACTORS**

COMES NOW the Defendant, ABDUL RASAK GARUBA, by Counsel, and files this pleading pursuant to Section 6A1.2 of the Sentencing Guidelines and the Order of this Court relating to the position of the parties with respect to sentencing factors. The Defendant, through Counsel, received a copy of the Presentence Investigation Report prepared by U.S. Probation Officer, Kenneth G. Orsino. Defense Counsel reviewed the report with the Defendant. The Defendant's position with respect to the facts and factors set out therein is as follows:

Regarding the sentencing guidelines' calculation, Mr. Garuba agrees with the PSR that he has no prior criminal history and probation has correctly calculated he has a total offense level of 16, resulting in a guidelines range of 21 to 27 months. Mr. Garuba recognizes he made poor decisions that were wrong that have harmed others and brought dishonor to himself. He has otherwise lived a hardworking and honorable life, surviving captivity during a brutal civil war in Sierra Leone, to eventually immigrate to the United States and have a family of his own with two loving children. Mr. Garuba still carries the scars of his injuries suffered during the civil war.

Mr. Garuba has always worked hard to support his family, and his life's work in the United States has involved shipping vehicles and other goods to West Africa. The numerous letters by customers and others attached to this pleading attest to the many years of hard and honest work he has performed to earn a modest living supporting his family. As expressed in Mr. Garuba's statement of acceptance of responsibility, he had no knowledge of the concept of "romance fraud" and is painfully agonizing each day over the suffering his actions of aiding the Nigerian fraudsters caused the victims in this case. He regrets not ceasing shipping the vehicles he was instructed to purchase with the stolen funds or otherwise inquire further into the reported fraud when his bank and other factors alerted him. He failed to focus on the harm to others, whether elderly or not, and was wrong to continue operating his business in this manner.

The government recognizes in its position on sentencing that Mr. Garuba was not one of the "fraudsters directing the scam." The genesis of the romance fraud scam has been traced to Nigerian conspirators operating from abroad. Clearly, Mr. Garuba is not the most culpable individual in the scam; he did not know the nature of the scam (romance fraud) and had no contact with victims. He was but one of many shippers used by the Nigerian conspirators to purchase and ship used cars to them abroad. His role was not vital to the success of the scam as once he withdrew in 2019, others were used in his place to continue the scam. Nevertheless, he acknowledges his role and the harm it caused the victims.

Mr. Garuba continues to operate a lawful business, with legitimate customers who trust him and depend upon him, and this business supports himself, his children and his elderly mother. Despite his involvement in the instant case, he is a person of fundamental good character with no prior criminal record. Having learned from this experience, for three years now Mr. Garuba has insisted on knowing the source and identity of any person depositing money into his account, what

he had failed to do in this case until the government informed him of the scope of this fraud in 2019. He separated himself from those who were directly defrauding the victims and is determined to right his wrongs. He has accepted responsibility and demonstrated remorse.

Regarding punishment, in addition to a felony conviction, potential imprisonment, restitution and forfeiture, the offense conduct has devastated his personal and family life, finances and reputation. He has demonstrated his ability to reform his conduct, survived a brutal civil war, and has worked hard to support his family and otherwise be a good citizen. In addition he has offered his full cooperation to the government in pursuing justice for the victims by having all involved prosecuted, and regrets that there was not more of an opportunity to pursue cooperation prior to sentencing. Taking all these factors in mitigation, Mr. Garuba respectfully requests that the Court depart downward from the advisory sentencing guidelines; a below the guidelines' variance is appropriate, and considering Mr. Garuba's life history, his reputation and standing in his community and among his customers, and his obligations to family members, such a sentence will be in accordance with Section 3553 factors.

### **CONCLUSION**

In conclusion, a sentence which considers the foregoing factors pursuant to Section 3553(a) indicates that a downward variance from the advisory guideline range is appropriate based upon the circumstances in this case. Mr. Garuba has expressed deep remorse, the letters submitted herewith by his supporters testify to his character and contributions to the community and commitment to helping others. Any period of incarceration will be devastating and separate him from his children and mother, causing his family members to suffer the consequences of his actions. It is respectfully suggested that a period of 12 months home incarceration will, when coupled with the consequence of

a felony conviction, sufficiently punish Mr. Garuba, permit him to continue working to support his family and to start paying restitution.

Respectfully Submitted,  
ABDUL RASAK GARUBA  
By Counsel

/S/

Michael M. Hadeed, Jr., Esquire, VSB #24589  
HADEED LAW GROUP, P. C.  
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Alexandria, Virginia 22314  
(703) 962-7452 – telephone  
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Counsel for Defendant  
michael@hadeedlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the 5<sup>th</sup> day of March, 2022, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Carina Cuellar  
Kimberly Riley Pedersen  
Assistant U.S. Attorney  
2100 Jamieson Avenue  
Alexandria, Virginia - 22314  
James.levine@usdoj.gov  
703-299-3700

/S/

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Counsel for Defendant

David A. Akhamie

[REDACTED]  
703-987- 8883

Honorable Judge T. S. Ellis III,

U.S. District Judge,

Alexandria, VA 22314

My name is David A. Akhamie, a retired Department of Homeland Security, Immigration Custom Enforcement Agent and also a veteran of the United States Army.

I am writing this statement as a character witness of Mr. Abdul Garuba whom I know since 2012 through my nephews who were his friends. I have been working with Abdul personally since I retired from my career of law enforcement in 2018. Abdul, my shipping Agent calls me "uncle" showing respect throughout our interactions. He is respectful, humble and hardworking in taking care of anything entrusted to his safekeeping. Abdul has a sense of gratitude for sharing ideas that make it easy to do business. He is a reliable father to his children, which is one of the things that he confided in me that he wants to be a good father in supporting his children.

I am aware of Abdul as very instrumental person for the Sierra Leonean and Nigerian communities in the Maryland, Washington DC and Virginia area as the one to call for shipping containers or personal property to our relatives.

I am comfortable to provide good commendations of Abdul because of his kindness he would never intentionally take advantage of a vulnerable person. While I am unaware of the full extent of the matter before the court, I would note that no human being is perfect. So, in the case that something has happened that was unintentional uncalculated error, I express the kind words that Abdul is a good man.

I will be available to present my statement before the Honorable judge. I will be glad if this email is considered in the case that I might not make it for the court case.

Thank you so much for your help in advance.

Yours Faithfully,

[REDACTED]

David A. Akhamie

DANIEL OGALA

[REDACTED]  
[REDACTED]  
CONTACT: 571-389-4387

Honorable Judge T.S Ellis III,  
U.S. District Judge  
Alexandria, VA. 22314

To Whom It May Concern

My name is Daniel Ogala, currently working for the Department of Defense as a U.S army law Enforcement/Guard Force Protection at Fort Belvoir VA.

Mr. Abdul Garuba is a well-known friend, and I have known him for more than 8 years. And I have done a lots of business transactions with him over the years, which I have never had any problems.

He is a devout Muslim who always want to lend a helping hand to people that are in needs.

He is honest and hardworking man, and also a reliable Father to his children. As one of his customers, I have never seen anything outside of norm with him.

Abdul is like a brother to me and since the year I know him, Abdul is not the kind of person who would intentionally take advantage of a vulnerable person, like the elderly people who were defrauded.

I was surprised to hear something negative about him, I believe this must be an uncalculated error from him.

I will be glad if you can consider contacting me by via-email, because I might not be able to make it to the court.


Thanks for your help in advance.

Yours Faithfully

*Daniel G Oglala*

Ogaladaniel90@gmail.com

Abey Fagbenro

  
703-331-1997

Honorable Judge T. S. Ellis III,  
U.S. District Judge,  
Alexandria, VA

To Whom It May Concern

My name is Abey Fagbenro, a Disabled U.S Navy veterans that currently work for the Department of Treasury as an IT Specialist. Mr. Abdul Garuba is a well-known friend that I have known for more than 7 years and I have done some business transactions with him over the years which I have never had any problem with him. He is a devout Muslim who always want to lend a helping hand to people that are in need. He is an honest, hardworking, and a reliable Father to his children. As one of his customers I have never seen anything outside of norm with him.

I knew some of his stories about how he took refuge in Europe before finally moving to the United States after the bad civil war in Sierra Leone. Abdul as I call him is not the type of person who would intentionally take advantage of a vulnerable person, like the elderly people who were defrauded. I was even surprise to hear something like this about him, so this must be an uncalculated error from him.

I will be glad if you can consider this email because I might not be able to make it for the court case and thank you so much for your help in advance.

Yours Faithfully

*Abey.A.Fagbenro*

Abey Fagbenro

Promise Uhegwu  


February 16, 2022.

RE: Abdul Garuba Brewa

The Honorable Judge T S Ellis III  
US District Judge, Alexandria VA

My name is Promise Uhegwu. I am an Information Technology professional with General Dynamics Information Technology, Inc. Fairfax Virginia.

I have known Mr. Abdul Garuba Brewa as a shipping agent in Northern Virginia area for the past twelve years. I was both worried and astonished to hear about his recent case as he has always been a person of upright character. It is for this reason I am pleased to write a letter of reference for Mr. Abdul Garuba Brewa regarding this matter.

For the past twelve years I have known Mr. Abdul Garuba Brewa, he has shipped many consignments to my family in Nigeria without any issues. Abdul is a good-hearted man who will do everything to make sure that what his customers ship through him gets to the recipient intact. He is a hard-working man to the core. Apart from shipping business, Abdul buys cars from the auctions and also drives a towing van to help support his family.

The smiling faces of Abdul's children as he drives them to amusement park playground attests to his commitment to his family. To the extent I know Abdul, I strongly believe that he will not intentionally risk losing his freedom, his loving family and his dignity in the community, to engage in an illegal dealing.

Respectfully,  
Promise Uhegwu



Dr. Mark Afolabi



February 8, 2022

Re: Abdul Rask Garuba

To: The Honorable Judge T.S. Ellis III  
U.S. District Judge, Alexandria, VA 22314

My name is Mark Afolabi, and it is a genuine honor to write this letter in favor of Mr. Abdul Rask Garuba to whom I have known for the past six years as a good friend and neighbor. I have spent many hours in his company with his family and have come to know Mr. Garuba's several fine qualities. I was troubled and surprised to hear about his recent case as he has always been a rather good person.

During my relationship with Mr. Garuba, I experienced an individual who is diligent and hard working in his job, and who carries himself in a polite manner. In addition, Mr. Garuba is a family person who has always been working so hard to support his family, and an upstanding member in the community. While it is unfortunate that he has made some bad decisions, thus resulting in this case. Though, I was surprised to hear of the misconduct, which he would never intentionally take advantage of a vulnerable person. It comes as no surprise that he is ready to accept responsibility for his actions. In short, Mr. Garuba expressed deep sense of remorse in making such a serious mistake and I believe in his ability to pay his debt to society.

I hope that the court takes this letter into consideration at the time of reviewing his case, and I still believe that Mr. Garuba is a valuable member of my community and a good human being.

Sincerely,



Dr. Mark Afolabi



## ICON LOGISTIC SERVICES, LLC

14725B Baltimore Avenue, Laurel MD 20707.

Tel. 301-483-8510 Fax: 240-644-6229 Email: [info@iconshipping.com](mailto:info@iconshipping.com)

February 10, 2022

Honorable Judge T. S. Ellis III,  
U.S. District Judge,  
Alexandria, VA

My name is Adeleke Alexander Adesoye, a co-owner of Icon Logistics Services LLC at Laurel MD. I am writing to provide a character reference on Mr. Abdul Garuba who is a well-known customer of ICON.

Mr. Abdul Garuba has been our customer since 2011 till date. I confirm that over the past 11 years that I have known him, Mr. Garuba has done several businesses with ICON without any problem whatsoever. During this period, I found him to be a very honest, hardworking, reliable, and loyal customer.

Going by my knowledge of Mr. Garuba's behavior and attitude in our business relationship over the years, I can confidently conclude that he is a man of high morale, good character and high integrity. I know him to be a faithful Islamic religious practitioner who will not knowingly defraud any vulnerable person like the elderly as I have surprisingly learnt is the case currently against him. His involvement must have been an honest and unintended mistake.

For any additional information on Mr. Garuba, I can be reached at 301-437-4387 (Cell) or 301-483-8510 (Office) or email me at [aadesoye@iconshipping.com](mailto:aadesoye@iconshipping.com).

Yours Faithfully

A handwritten signature in black ink, appearing to read "Adeleke A. Adesoye".

Adeleke A. Adesoye

To:  
Honorable Judge T.S Ellis III  
US District Judge  
Alexandria,VA

First of all my cordial greeting to the honorable sitting judge .I write this letter in reference to Abdul Razak Garuba who is before your court . I sincerely feel very concerned about the well-being and future of Abdul Razak Garuba and his family and my intention is to try to share with this honorable court my point of view and that of many people who cares and loves him.

Although it seems hard to believe or understand the unfortunate situation that brought him before you.Abdul Rasak Garuba is a good person and has always had morality in his actions. I have known him for over 10 years and as one of his clients he does buying and shipping of goods for, he has shown to have a generous, kind, and respectful character towards others. He is a person with a lot of integrity and I have on many occasions entrust him with my business and finances because he makes great effort to do right by me and other people I have referred to his business.

Abdul Razak Garuba is a human being with a great heart and a decent person. The predicament he is going through now is a clear example that bad things can happens to good people too .Your honor I can truly understand how difficult it is for you to have to make a decision of this type and under these circumstances, without really knowing the person in front of you, but I trust in God that you can look at this letter and feel all the support the family and friends of Abdul Razak Garuba are trying to provide you. We the friends and families of Abdul Razak Garuba trust your wise decision to always considering the best for everyone.So help you God.

Regards

Akinwunmi Akinwoye

February 8<sup>th</sup>, 2022

Attn: Honorable Judge T Ellis 111

U.S District Judge Office

Alexandria, VA

**Letter of Attestation**

This is to attest that I have known Mr. Abdul Garuba Brewa for over ten years as an acquaintance and good friend. I can safely say that he is a trustworthy, dependable, and an honest man from my dealings with him. We have grown from acquaintances to friendship.

Mr. Abdul has shipped items for me several times to Africa with satisfaction. I have never had any complaints about any shipment by him. He is a very hard-working man who takes his business seriously and works in any weather condition. As difficult and demanding the shipping business is, Abdul is very dedicated to it. He has not given me any reason to think that he is fraudulent. I see him as a very honest man from all my dealings with him.

He is a very loving father to his children and takes time to participate in their extracurricular activities. He is a role model to them.

He is also a very friendly guys whose mission is to keep his customers happy and satisfied. I will not use another shipper than Abdul.

Please feel free to contact me for additional information.

Sincerely,

Dr. Ada Omile

202 492-4874

**Edward Erskine**

**[REDACTED]**  
703-309-4487

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February 9, 2022

Re: Abdul Rasak Garuba

To: The Honorable Judge T. S. Ellis III, U.S. District Judge, Alexandria, VA

I have known Abdul Rasak Garuba as a good friend for 17 years. He also worked for me as a Warehouse Manager for seven years and have always been a person of integrity. It is for this reason I am happy to write a letter of reference for Mr. Garuba.

Mr. Garuba have impeccable character and was very reliable when working as the Warehouse Manager. He was reliable and worked very hard to keep the warehouse running smoothly. I had no concerns leaving him in charge while I travelled. He was flexible and quick to learn and showed great respect to all the workers. He was competent in his role. He had great interpersonal skills that made everyone that came to the warehouse want to interact with him.

He has been a good friend over the years and have always been there for me. Mr. Garuba is very respectful, patient and understanding. I have witness how he has demonstrated love and care for his children and family. It is my sincere hope the court takes this letter into consideration.

Sincerely,

Edward Erskine

Isaac Kodua

[REDACTED]

571-276-4831

February 9, 2022

Re: Abdul Rasak Garuba

To: The Honorable Judge T. S. Ellis III, U.S. District Judge, Alexandria, VA


I have known Abdul Rasak Garuba for about 15 years. He was a manager at a Warehouse that I visited for business. He was always helpful, pleasant, and assisted me with whatever I needed. After business, we will talk about family, life etc. and he was just so easy to talk to. He has always been a man of great character and his willingness to help was very appreciated.

I was a witness to how he treated his coworkers and customers. He was always respectful and took his time to help. I always commended him on his passion for the job and this helped us to develop a friendship. Mr. Garuba is a caring man and I am happy to write this letter.

Sincerely,

Isaac Kodua

Monsour Akindele

  
February 04, 2022

Re: Abdul Rasak Garuba

To: The Honorable Judge,

I have known Abdul Rasak Garuba as a good friend and diligent freight operator for over ten years. I was both troubled and surprised to hear about his recent case as he has always been a rather honest and law abiding person. It is for this reason I am happy to write a letter of reference for Mr Abdul Rasak Garuba regarding this matter. I understand the seriousness of this matter however, I hope the court will show some leniency.

Mr Abdul Rasak Garuba has always been an upright character since I have known him. He has shipped numerous cars and containers for me to Nigeria without issues. Due to his honesty and good business ethics, I became friends with him. In our friendship, he has really been a very reliable and honest person, and my family can trust him in all matters.

While it is unfortunate that he has made some bad decisions, due to some unscrupulous people taking advantage of his honesty, thus resulting in this case. It comes as no surprise that he is ready to accept responsibility for his actions. I believe that as we move forward, he will emerge a better person. In short, Abdul Rasak Garuba expressed a deep sense of remorse in making such a serious mistake and I believe in his ability such will not occur again.

It is my sincere hope the court takes this letter into consideration at the time of sentencing. Despite the current case, I still believe Abdul Rasak Garuba to be an honorable individual, a valuable member to his community, and a good father to his young kids.

Sincerely,  
Monsour K Akindele

Honorable Judge T.S Ellis III

U.S District Court Alexandria VA

My name is Oluwadara Okotie, I work in the Virginia Army National Guard, it is my pleasure to write about Abdul Garuba Brewa. I have know him for over five years.

I have known Abdul for quite some time now. Abdul is a loving Son and a good Father. He is very hardworking and diligent. I have known him to ship products to Africa and he has many clients and has worked for several clients. I do understand that as of lately he has had some trouble with law enforcement, but I believe it must have been some kind of mistake or error. I have personally helped Abdul load his shipping contains a couple of times, I firmly believe he does not engage in fraudulent business or activities and will never intentionally take advantage of a vulnerable person.

Hence, I recommend Mr. Abdul without any reservations. I am confident that he establishes good relationships with everyone around. Kindly let me know if you have any questions thank you.

Sincerely

Oluwadara Okotie

2027496344

daraokotie@gmail.com



Kenneth Anaebonam.

  
434-546-5644

02/10/2022

The judge T S Ellis III.  
U.s District Court Judge,  
Alexandra, Virginia.

TO WHOM IT MAY CONCERN

My name is as above mentioned and highlighted and I am proud to offer my recommendation for **Abdul Rasak Garuba**. I have known **Abdul** for the past 4 years. He is into shipping of containers to Nigerian and in these 4 years, I have used **Abdul** to ship my containers to Lagos Nigeria. I have not had any concerns in dealing with Abdul as he has shown himself to be a very honest, straightforward and hardworking young man. Due to Abdul's business ethics, I have had cause to recommend and introduce him to numerous friends for the purposes of business.

Sincerely,

Kenneth Anaebonam



THE REDEEMED CHRISTIAN CHURCH OF GOD

**VICTORY TEMPLE**

VIRGINIA

*"Where Champions are Made"*

*Pastor E. A. Adeshin*  
General Overseer RCCG Worldwide  
*Pastor Shina Enitan*  
Pastor in Charge

02/08/2022

Honorable Judge T.S Ellis III  
US District Judge,  
Alexandria, VA.

Your honor,

LETTER OF CHARACTER REFERENCE

My name is Pastor Adeshina Enitan, senior Pastor of the RCCG Victory Temple in Lorton, Virginia. I have known Mr Abdul Garuba on a personal basis for more than 15 years. I know him to be a honest business man that conduct his business dealing with honesty and integrity. I had transacted many business with him and he had also transacted my business with many of our church congregation/community. There had not been any report of Mr Abdul Garuba conducting his business dealings inappropriately from any member of our church community. He always charge fair and reasonable prices. From my many years of dealing and personal knowledge of Mr Garuba, he would never intentionally take advantage of the vulnerable.

I can be reach at my cell # 202-415-3723 for more information. Thank you.

Yours Sincerely,

Pastor Shina Enitan

*Jesus Christ the same yesterday, today, and forever. Heb 13:8*

*Registered as a Non-Profit Organization*

7218 Lockport Place, Lorton, VA 22079  
TEL: (703) 459-9433; (703) 459-9434. E-mail: RedeemedVA@yahoo.com

Abdul Lateef Zubairu Adesina

[REDACTED]  
[REDACTED]  
Obabaiseh@gmail.com

February 4, 2022

The Honorable Judge T. S. Ellis III

U. S. District Judge

Alexandria, Virginia

Re: Abdul Garuba Brewa

Dear Judge Ellis III:

I am a cousin of Mr. Abdul Garuba Brewa and an accountant by profession. Abdul has informed me about his on-going ordeal with the law. In light of the circumstances, I want to humbly offer my solemn endorsement of Abdul's good character and as a dedicated family person and an individual that will never take advantage of people.

Abdul and I are close in our family circle and grew up together. In Sierra Leone, our family experienced one of the worst civil war in Africa. We lost so many family members during this senseless war. Abdul was captured and endured torture and inhumane treatment at the hands of his captives and was almost killed

As a promise to God, he makes it a point of duty to help people in need as a form of thanking God for saving his life during the civil war in our beloved country.

Not only that Abdul helps the needy, but he is also an excellent father and family-oriented person. Apart from caring for his kids, Abdul provides for countless number of family members here in the United States and in Sierra Leone. Abdul is the sole provider for his mother, grandmother who is experiencing Alzheimer's disease, sister, aunt and several nieces and nephews.

Abdul is a model citizen that is grateful for the second chance this great country has given him as a refugee from an impoverished nation destroyed by the worst rebel wars in Africa. Abdul has witness rebels chopping heads and other human body parts of people. Abdul had witness rebels slashing stomachs of pregnant women alive. Abdul knows what it is like to be on the vulnerable side of life. Abdul will never intentionally want to recreate or

redo what he had experienced at the hands of the rebels by being on the wrong side. I Abdul Lateef Zubairu Adesina humbly testify that my cousin (Abdul) is not the type of person who would intentionally take advantage of a vulnerable person. Abdul is respectful, hardworking, law abiding and God-fearing person.

Dear Judge, Abdul and our entire family is at your mercy. The absence of Abdul will negatively impact our family both home and abroad. I am kindly appealing on our entire family behalf that Abdul's good standing with his family and people be considered and give him a second chance to continue to be a positive individual dedicated to make difference in the lives of the needy. Thank you.

Your Sincerely,

Abdul Lateef Zubairu Adesina.